

1 BRADLEY PAUL ELLEY, ESQ.
2 Nevada Bar No. 658
3 120 Country Club Drive, Suite 5
4 Incline Village, NV 89451
5 Telephone: (775) 831-8800
6 brad@bpelleylaw.com
7 Attorney for Plaintiff

8
9 **UNITED STATES DISTRICT COURT**

10
11 **DISTRICT OF NEVADA**

12 ANDREW KALLAS,

13 Case No. 2:24-cv-02385-CDS-MDC

14 Plaintiff,

15 vs.

16 WHITE HAWKS AUTO LLC, a California limited
17 liability company, TEMPUS LOGIX, INC., a
18 California corporation, NORTHLAND
19 INSURANCE COMPANY, a Connecticut
20 corporation, LUBERNER INTERNATIONAL
21 INSURANCE AGENCY, INC., and DOES 1-15

22 Defendants.

23
24 AMENDED DISCOVERY PLAN AND
25 SCHEDULING ORDER
26 SPECIAL SCHEDULING REVIEW
27 REQUESTED

28 Pursuant to Federal Rule of Civil Procedure 26(f) and Local Rule of Practice 26-1(e), the
29 parties, by and through their counsel of record, hereby submit their proposed Discovery Plan
30 and 25 Scheduling Order.

31
32 1. Meeting. On January 21, 2025, the parties, through their respective counsel, Bradley
33 Paul Elley, Esq. on behalf of Plaintiff, Bruce Scott Dickinson on behalf of Defendant WHITE
34 HAWKS AUTO LLC, Timothy Hunter on behalf of Defendant NORTHLAND INSURANCE
35 COMPANY, Luz Mejia on behalf of Defendant LUBERNER INTERNATIONAL

1 INSURANCE AGENCY, INC., met and conferred. Defendant TEMPUS LOGIX has not
2 appeared in this action and its default has been entered by the Clerk of this Court.
3
4

5 **2. Discovery Plan.**

- 6 a. Per LR 26-6 (b) (6), in the event the matter has not been settled by all of the
7 appearing parties, the appearing parties will make their initial disclosures not
8 later than February 25, 2025. This initial disclosures deadline and the filing of
9 this Discovery Plan are deviations from the standard disclosures and discovery
10 plan filing deadlines due to the ongoing efforts to settle this matter at this early
11 stage. The filing of this Discovery Plan had been extended to February 11, 2025,
12 by that certain order allowing same filed this date.
13
14 b. The subjects on which discovery is needed are all aspects of liability and
15 damages, including discovery as to all claims and defenses within the scope of
16 the pleadings.
17
18 c. In addition to production of physical documents, disclosures may be made
19 electronically and through CD and DVD production.
20
21 d. Any documents for which a privilege is claimed shall be identified in a
22 privilege log with a description of the type of document claimed to be
23 privileged, the date of the document and the basis for the claim of privilege.
24
25 e. There will be no limitations on discovery beyond those specified in the
26 Federal Rules of Civil Procedure and Local Rules of Practice.
27
28 f. The following dates shall govern:

- 1 1. The discovery cutoff shall be July 18, 2025, which is 178 days from the
2 initial appearance of the defendants by answering or otherwise, by their
3 execution and filing of the Joint Status Report on January 21, 2025.
4
- 5 2. The deadline for filing motions to amend the pleadings or to add
6 parties shall be April 18, 2025, which is 91 days prior to the close of
7 discovery.
8
- 9 3. The deadline for making initial expert disclosures shall be May 19,
10 2025, which is 60 days prior to the close of discovery.
11
- 12 4. The deadline for making rebuttal expert disclosures shall be June 18,
13 2025, which is 30 days after the deadline for initial expert disclosures.
14
- 15 5. The deadline for filing dispositive motions shall be August 15, 2025,
16 which is 28 days after the discovery cutoff date.
17
- 18 6. The parties shall file a Joint Pretrial Order no later than September 12,
19 2025, which is 28 days after the deadline for filing dispositive motions.
20 In the event that dispositive motions are filed, the date for filing the Joint
21 Pretrial Order shall be suspended until 30 days after a decision on the
22 dispositive motions unless otherwise ordered by the court.
23
- 24 3. Per LR 26-6 (b) (7), the parties certify that they met and conferred about the
25 possibility of using alternative dispute-resolution processes, including mediation,
26 arbitration, and if applicable, early neutral evaluation.
27
- 28 4. Per LR 26-6 (b) (8), the parties certify that they considered consent to trial by a
magistrate judge under 28 U.S.C. § 636(c)(2) ad Fed. R. Civ. P. 73 and the use of
the Short Trial Program (General) Order 2013-01.

5. Per LR 26-6 (b) (9), the matter is not applicable, there being no jury trial. as the appearing parties have settled this matter.

DATED: February 24, 2025

DATED: February 24, 2025

THORNDAL ARMSTRONG, PC

/s/ Bradley Paul Elley
BRADLEY PAUL ELLEY, ESQ.
Nevada Bar No. 658
Attorney for Plaintiff

By: /s/ Bruce Scott Dickinson
Bruce Scott Dickinson, Esq.
Nevada Bar No. 2297
Aileen E. Cohen, Esq.
Attorneys for White Hawks Auto

DATED: February 24, 2025

DATED: February 24, 2025

McMICKLE, KUREY & BRANCH, LLP

/s/ Luz Mejia
Luz Mejia
Luberne International Ins. Agency Inc.
DEFENDANT IN PRO PER

By: s/ Scott W. McMickle
Scott W. McMickle, Esq.
Pro Hac Vice Attorney
Insurance Company

RAY LEGO & ASSOCIATES
Timothy F. Hunter, Esq.
Nevada Bar No. 010622
Attorney for Northland Insurance
Company

IT IS SO ORDERED:

Dated: 2-26-25

UNITED STATES MAGISTRATE JUDGE

1
2 **CERTIFICATE OF SERVICE**
3

4 Pursuant to FRCP 5(b), I hereby certify that I am an employee of the office of Bradley
5 Paul Elley, Esq. and that, on this date, a true and correct copy of AMENDED DISCOVERY
6 PLAN AND SCHEDULING ORDER DISCOVERY PLAN AND SCHEDULING ORDER
7 SPECIAL SCHEDULING REVIEW REQUESTED was served via the United States District
8 Court CM/ECF system and a copy was sent by electronic notice to the following:
9

10 Bruce Scott Dickinson, Esq.
11 Aileen E. Cohen, Esq.
12 THORNDAL ARMSTRONG, PC
13 600 S. Las Vegas Blvd., Suite 400
14 Las Vegas, NV 89101
15 email: bsd@thorndal.com
16 email: aec@thorndal.com

17 Timothy F. Hunter, Esq.
18 RAY LEGO & ASSOCIATES
19 7450 Arroyo Crossing Parkway, Suite 250
20 Las Vegas, NV 89113
21 tfhunter@travelers.com
22 Attorney for Northland Insurance Company

23 Attorneys for White Hawks Auto LLC.

24 McMICKLE, KUREY & BRANCH, LLP
25 Scott W. McMickle, Esq.
26 Tania Moore, Esq.
27 217 Roswell St., Ste. 200
28 Alpharetta, GA 30009
29 swm@mkblawfirm.com
30 tmoore@mkblawfirm.com

31 Pro Hac Vice Attorneys for Northland
32 Insurance Company

33
34
35
36 I further certify I caused to be deposited in the United States mail, at Incline Village,
37 Nevada, a true and correct copy of AMENDED DISCOVERY PLAN AND SCHEDULING
38 ORDER DISCOVERY PLAN AND SCHEDULING ORDER SPECIAL SCHEDULING
39 REVIEW REQUESTED by placing the same in a sealed envelope upon which First Class

postage was fully prepaid, addressed as follows:

Luz Mejia
Luberne International Ins. Agency Inc.
13303 S. Inglewood Ave.
Hawthorne, CA 90250

A copy was also sent by email to: lmejia@lubemerinsurance.com

DATED: February 24, 2025.

/s/ Elizabeth Lintner
ELIZABETH LINTNER